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**TRANS-PACIFIC PARTNERSHIP
GOVERNMENT PROCUREMENT CHAPTER**

PERU'S FINAL MARKET ACCESS OFFER ON GOVERNMENT PROCUREMENT

SECTION A: CENTRAL LEVEL OF GOVERNMENT ENTITIES

Goods

Threshold: 95,000 SDR

Services

Threshold: 95,000 SDR

Construction Services

Threshold: 5,000,000 SDR

Peru's Schedule

Unless otherwise specified herein, this Chapter covers all agencies subordinate to the entities listed in Peru's Schedule.

1. Superintendencia Nacional de Educación (National Superintendent of Education)
2. Banco Central de Reserva del Perú (Central Reserve Bank of Peru)
3. Congreso de la República del Perú (Congress of the Republic of Peru)
4. Consejo Nacional de la Magistratura (National Council of Magistrates)
5. Contraloría General de la República (Comptroller General's Office of the Republic)
6. Defensoría del Pueblo (Office of the People's Ombudsperson)
7. Jurado Nacional de Elecciones (National Electoral Board)
8. Ministerio de Agricultura y Riego (Ministry of Agriculture and Irrigation)
9. Ministerio del Ambiente (Ministry of Environment)
10. Ministerio de Comercio Exterior y Turismo (Ministry of Foreign Trade and Tourism)
11. Ministerio de Cultura (Ministry of Culture)
12. Ministerio de Defensa (Ministry of Defense) (Note 1)
13. Ministerio de Economía y Finanzas (Ministry of Economy and Finance) (Note 2)
14. Ministerio de Educación (Ministry of Education)
15. Ministerio de Energía y Minas (Ministry of Energy and Mining)
16. Ministerio de Justicia y Derechos Humanos (Ministry of Justice and Human Rights)
17. Ministerio de la Mujer y Poblaciones Vulnerables (Ministry of the Woman and Vulnerable Populations)
18. Ministerio de la Producción (Ministry of Production)
19. Ministerio de Relaciones Exteriores (Ministry of Foreign Affairs)
20. Ministerio de Salud (Ministry of Health)
21. Ministerio de Trabajo y Promoción del Empleo (Ministry of Labor and Employment Development)

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22. Ministerio de Transportes y Comunicaciones (Ministry of Transport and Telecommunications)
23. Ministerio de Vivienda, Construcción y Saneamiento (Ministry of Housing, Construction and Sanitation)
24. Ministerio del Interior (Ministry of Interior) (Note 1)
25. Ministerio Público (Prosecutor's Ministry)
26. Oficina Nacional de Procesos Electorales (National Office of Electoral Processes)
27. Poder Judicial (Judicial Power)
28. Presidencia del Consejo de Ministros (Presidency of the Council of Ministers)
29. Registro Nacional de Identificación y Estado Civil (National Registry of Identification and Marital Status)
30. Seguro Social de Salud (ESSALUD) (Health Insurance) (Note 3)
31. Superintendencia de Banca, Seguros y Administradoras Privadas de Fondos de Pensiones (AFPs) (Superintendence of Banking, Insurance and Private Administrators of Pension Funds/AFPs)
32. Tribunal Constitucional (Constitutional Tribunal)

Notes to Peru's Schedule

1. Ministerio de Defensa and Ministerio del Interior (Ministry of Defense and Ministry of Interior): this Chapter shall not cover the procurement of clothing/apparel (HS 6205) and footwear (HS 64011000) by the Army, Navy, Air Force, or National Police of Peru.
2. Ministerio de Economía y Finanzas (Ministry of Economy and Finance): this Chapter shall not cover procurement by the *Agency for the Promotion of Private Investment* (PROINVERSION) of technical, legal, financial, economic, or similar consulting services, which are necessary to promote private investment through the granting of concessions or other means such as capital increase, joint ventures, service, leasing, and management contracts.
3. Seguro Social de Salud (ESSALUD) (Health Insurance): this Chapter does not cover the procurement of sheets (HS 6301) and blankets (HS 6302).

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**SECTION B: SUB CENTRAL LEVEL OF
GOVERNMENT ENTITIES**

Goods

Threshold: 200,000 SDR

Services

Threshold: 200,000 SDR

Construction Services

Threshold: 5,000,000 SDR

Peru's Schedule

This Chapter covers procurement only by those entities listed in this Schedule.

1. Gobierno Regional de Amazonas (Regional Government of Amazonas)
2. Gobierno Regional de Ancash (Regional Government of Ancash)
3. Gobierno Regional de Arequipa (Regional Government of Arequipa)
4. Gobierno Regional de Ayacucho (Regional Government of Ayacucho)
5. Gobierno Regional de Apurimac (Regional Government of Apurimac)
6. Gobierno Regional de Cajamarca (Regional Government of Cajamarca)
7. Gobierno Regional del Callao (Regional Government of Callao)
8. Gobierno Regional de Cusco (Regional Government of Cusco)
9. Gobierno Regional de Ica (Regional Government of Ica)
10. Gobierno Regional de Huancavelica (Regional Government of Huancavelica)
11. Gobierno Regional de Huánuco (Regional Government of Huanuco)
12. Gobierno Regional de Junín (Regional Government of Junin)
13. Gobierno Regional de la Libertad (Regional Government of La Libertad)
14. Gobierno Regional de Lambayeque (Regional Government of Lambayeque)
15. Gobierno Regional de Lima (Regional Government of Lima)
16. Gobierno Regional de Loreto (Regional Government of Loreto)
17. Gobierno Regional de Madre de Dios (Regional Government of Madre de Dios)
18. Gobierno Regional de Moquegua (Regional Government of Moquegua)
19. Gobierno Regional de Pasco (Regional Government of Pasco)
20. Gobierno Regional de Piura (Regional Government of Piura)
21. Gobierno Regional de Puno (Regional Government of Puno)
22. Gobierno Regional de San Martín (Regional Government of San Martin)
23. Gobierno Regional de Tacna (Regional Government of Tacna)
24. Gobierno Regional de Tumbes (Regional Government of Tumbes)
25. Gobierno Regional de Ucayali (Regional Government of Ucayali)

Note: Peru offers the entities listed under this Section with respect to:

- (a) those Parties that assume equivalent commitments at the same level of government, and
- (b) those Parties that:
 - i. are signatories of the TPP Agreement at the date of its entry into force, and
 - ii. do not have sub-central entities.

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SECTION C: OTHER COVERED ENTITIES

Goods

Threshold: 160,000 SDR

Services

Threshold: 160,000 SDR

Construction Services

Threshold: 5,000,000 SDR

Peru's Schedule

1. Agro Banco (Agriculture Bank)
2. Banco de la Nación (National Bank)
3. Compañía de Negociaciones Mobiliarias e Inmobiliarias S.A. (Negotiation Company of Real Estate and Movable Property)
4. Corporación Financiera de Desarrollo S.A. (Financial Corporation of Development)
5. Corporación Peruana de Aeropuertos y Aviación Civil S.A. (CORPAC) (Peruvian Corporation of Airports and Civil Aviation) (CORPAC)
6. Electricidad del Perú S.A. (ELECTROPERU) (Electricity Company of Peru)
7. Empresa Eléctrica del Sur S.A. (Electricity Company of the South)
8. Empresa de Administración de Infraestructura Eléctrica S.A. (Administration Company of Electric Infrastructure)
9. Empresa de Generación Eléctrica de Machupicchu (Hydro Power Company of Machupicchu)
10. Empresa Nacional de la Coca S.A. (ENACO) (National Company of the Coca)
11. Empresa Nacional de Puertos S.A. (ENAPU) (Peru National Harbors Company)
12. Empresa Peruana de Servicios Editoriales (Peruvian Company of Publishing Services)
13. Empresa Regional de Servicios Públicos de Electricidad del Oriente (Regional Company of Electricity Public Services of the Orient)
14. Empresa Regional de Servicios Públicos de Electricidad del Sur Este S.A. (Regional Company of Electricity Public Services of the South East)
15. PERUPETRO
16. Petróleos del Perú (PETROPERU) (Peru's Oil Company) (Note 1)
17. Servicio de Agua Potable y Alcantarillado de Lima (SEDAPAL) (Potable Water and Sewerage Service of Lima)
18. Servicio Industrial de la Marina (SIMA) (Naval Industrial Services)
19. Servicios Postales del Perú S.A (Peru Postal Services)
20. Sociedad Eléctrica del Sur Oeste (Electric Company of the South West)

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Note to Peru Schedule

(Note 1) Petróleos del Perú (PETROPERU) (Peru's Oil Company): this Chapter does not cover the procurement of the following goods:

- (a) Crude Petroleum
- (b) Gasoline
- (c) Propane
- (d) Diesel oil
- (e) Butane
- (f) Low sulfur medium distillation or Gasoil
- (g) Natural gas
- (h) Bio-diesel
- (i) Saturated acyclic hydrocarbons
- (j) Catalyzers
- (k) Ethanol
- (l) Additives

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SECTION D: GOODS

This Chapter shall apply to all goods procured by the entities listed in Sections A, B and C, subject to the Notes to the respective Sections and Section G.

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SECTION E: SERVICES

Peru's Schedule

This Chapter shall apply to all services procured by the entities listed in Sections A, B and C subject to the Notes to the respective Sections, and Section G, except for the services excluded in Peru's Schedule.

This Chapter shall not cover the procurement of the following services, as elaborated in the Central Product Classification Version 1.1. (For complete listing of Central Product Classification Version 1.1, see <http://unstats.un.org/unsd/cr/registry/regcst.asp?Cl=16>):

CPC 8221 Accounting and auditing services

CPC 82191 Arbitration and conciliating services

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SECTION F: CONSTRUCTION SERVICES

This Chapter shall apply to the procurement of all construction services under CPC 51 procured by the procuring entities listed in Sections A, B and C, unless otherwise specified in this Chapter.

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SECTION G: GENERAL NOTES

Unless otherwise specified herein, the following General Notes in each Party's Schedule shall apply without exception to this Chapter, including to all Sections of this Annex.

Peru's Schedule

I. General Notes:

1. This Chapter shall not apply to procurement programs on behalf of micro and small sized enterprises.
2. This Chapter shall not apply to the procurement of goods for food assistance programs.
3. This Chapter shall not apply to the acquisition of weavings and clothing made with alpaca and llama fibers.
4. This Chapter shall not apply to procurement by the embassies, consulates, and other missions of the foreign service of Peru, exclusively for their operation and management.
5. For greater certainty, this Chapter does not apply to procurement of banking, financial or specialized services related to the following activities:
 - (a) the incurring of public indebtedness; or
 - (b) public debt management.
6. This Chapter does not apply to procurement by one Peruvian entity of a good or service from another Peruvian entity.

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SECTION H: MEANS OF PUBLICATION

All information on government procurements is published on the following websites:

Legislation and Jurisprudence: www.osce.gob.pe

Procuring opportunities on goods and services: www.seace.gob.pe

Procuring opportunities on BOT contracts and public works concessions contracts:
www.proinversion.gob.pe

National Registry of Suppliers (RNP): www.rnp.gob.pe

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SECTION I: VALUE OF THRESHOLDS

1. The thresholds shall be adjusted at two-year intervals with each adjustment taking effect on January 1, beginning on January 1, 2018.
2. Every two years, Peru shall calculate and publish the value of the thresholds under this Chapter expressed in Nuevos Soles. These calculations shall be based on the conversion rates published by the International Monetary Fund in its monthly “International Financial Statistics”.
3. The conversion rates shall be the average of the daily values of the Nuevos Soles in terms of the Special Drawing Rights (SDR) over the two-year period proceeding October 1 of the year before the adjusted thresholds are to take effect.
4. Peru shall notify the other Parties of the current thresholds in its currency immediately after this Agreement enters into force, and the adjusted thresholds in its currency thereafter in a timely manner.
5. Peru shall consult if a major change in a national currency relative to the SDR or to the national currency of another Party were to create a significant problem with regard to the application of the Chapter.